## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05cv86

JACK V. SMITH,	
Plaintiff,	
Vs.	ORDER
DADE BEHRING HOLDINGS, INC., a Delaware Corporation; JOHN M. DUFFEY; JOHN SHAW; and JAY W. ALLEN,	
Defendants. )	

THIS MATTER is before the court on defendants' Motion for Temporary Stay. For cause, defendants have shown that they have filed a Motion to Reopen their bankruptcy case in the Northern District of Illinois, that such motion has been granted, and that an additional Motion to Enforce Confirmation Order and Statutory Discharge Injunction is now pending before that court. Plaintiff is in the process of preparing its response to that motion, and it appears that a hearing has been noticed for March 2, 2006, in the Northern District of Illinois. Having considered defendants' motion and reviewed the pleadings, and it appearing that the interests of justice are best served by allowing the relief sought, and having considered plaintiff's request that such stay be lifted on a date certain, the court enters the following Order.

## **ORDER**

IT IS, THEREFORE, ORDERED that defendants' Motion for Temporary Stay (#11) is GRANTED, and this action is STAYED up to and inclusive of April 4, 2006, at which time such stay shall automatically dissolve. After dissolution of such stay, defendants are GRANTED up to and inclusive of April 14, 2006, to Answer or otherwise respond to the plaintiff's Complaint.

Signed: January 27, 2006

Dennis L. Howell United States Magistrate Judge